

UNITED STATES DISTRICT COURT

for

Western District of Texas

Report on Offender Under Supervision

Name of Offender: Tommy T. Fox

Case Number: A-09-CR-546(1)-SS

Name of Sentencing Judicial Officer: Honorable Sam Sparks, United States District Judge

Date of Original Sentence: February 26, 2010

Original Offense: Counts 1-5: Interference with Commerce by Robbery (18 U.S.C. § 1951)) and Count 6: Robbery of a Credit Union (18 U.S.C. § 2113)).

Original Sentence: Counts 1-6: Imprisonment for 137 months followed by a three-year term of supervised release; all counts to run concurrently. Special conditions: drug counseling; alcohol abstinence; mental health treatment participation; take all mental health medication, as prescribed, and financial disclosure. The Court also ordered a \$600 special assessment and restitution of \$3,785.

Type of Supervision: Supervised Release

Start of Probation: August 26, 2019

Assistant U.S. Attorney: Mark P. Lane

Defense Attorney: William H. Ibbotson

PREVIOUS COURT ACTION

On July 17, 2019, a Request for Modifying the Conditions or Term of Supervision with Consent of the Offender was submitted to the Court requesting special conditions be added to include applying all monies from income tax refunds, lottery winnings and judgements to the court-ordered financial obligation; and establishing monthly restitution payments in the amount of \$100. In addition to the addition of the above noted conditions, the Court was informed that on July 10, 2019, the offender submitted a urine specimen which returned positive for cocaine.

NONCOMPLIANCE SUMMARY

Violation Mandatory Condition No. 2: “The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.”

Violation Standard Condition No. 7: “The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician.”

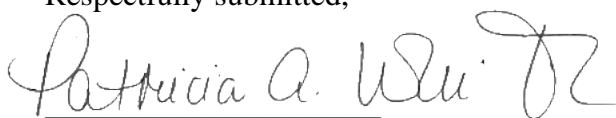
Nature of Noncompliance: On June 11, 2021, the offender submitted a urine specimen which returned positive for cocaine.

U.S. Probation Officer Action: On June 30, 2021, this officer contacted the offender regarding his positive cocaine test result. The offender admitted to using cocaine to cope with stressors he was experiencing. The offender admitted to having last used cocaine on June 24, 2021. He reported as a result of his relapse, he has resumed attending Narcotics Anonymous meetings and is seeking a sponsor. During our communication, the offender was open regarding the incident and expressed great remorse. The offender requested an opportunity to resume treatment services to address his lapse.

To assist the offender in regaining his sobriety and compliance on supervision, this officer respectfully requests no action be taken, to allow the offender to participate in co-occurring services to address relapse.

Accordingly, the Court reserves the right to revisit this allegation in the future. In addition, should the offender incur any further violations, the Court will be immediately notified.

Respectfully submitted,



Patricia A. Whitson
U.S. Probation Officer
Date: June 29, 2021

Approved:



Martha N. Davis
Supervising U.S. Probation Officer
Date: June 29, 2021

THE COURT ORDERS:

- ☒ No Action
- ☐ Submit a Request for Modifying the Condition or Term of Supervision
- ☐ Submit a Request for Warrant or Summons
- ☐ Other



Honorable Susan Hightower
U.S. Magistrate Judge
July 1, 2021

Date